

**California Regional Water Quality Control Board  
Santa Ana Region  
June 4, 2004**

**ITEM:** 11

**SUBJECT:** General Waste Discharge Requirements for Sewage Collection Agencies in Orange County (Order No. R8-2002-0014) - Compliance Status

**Background:**

On April 26, 2002, the Board adopted Order No. R8-2002-0014, Waste Discharge Requirements (WDR) for Sewage Collection Agencies in Orange County, within the Santa Ana Region (Order). The main objective of this Order was to address sewage spills in Orange County that were causing beach closures. The Order was issued to the sewage collection agencies (permittees) listed in Table 1.

**WDR Requirements:**

The Order prohibits the discharge of sewage to surface waters and requires each permittee to develop and implement a Sewer System Management Plan (SSMP) and other plans according to the schedule cited in Table 2. The purpose of the SSMP is to minimize sewer system overflows (SSOs) through proper design, construction, maintenance, operation, and management of sewage collection systems. The SSMP also requires the permittees to develop and implement a SSO emergency response plan and a program to control fats, oils and grease (FOG).

**General Compliance Status:**

Table 1 includes 32 permittees originally named in the Order. Of these 32 entities, the City of Los Alamitos is actually served by the Rossmoor/Los Alamitos Area Sewer District and does not operate any sewage collection facilities. A number of the federal facilities listed in Table 1 (El Toro Marine Corps Air Station and Tustin Marine Corps facility) have transferred or are in the process of transferring property to local entities. Since these Bases are being closed, the responsibility for sewage collection facilities will also be transferred to local entities like the Irvine Ranch Water District. Staff will develop proposed amendments to the Order to reflect these changes.

Except for the federal facilities (military facilities) and the City of Stanton, all other permittees are substantially in compliance with the provisions of this Order. Board staff recently inspected the Joint Forces Training Base at Los Alamitos (a federal facility) and determined that the facility is in general compliance, except

for paper violations (not submitting written reports as required under the Order). Seal Beach Naval Weapons Station (another federal facility) has not submitted any of the required reports; Board staff is trying to schedule an inspection of the facility to further investigate its compliance status.

As indicated in Table 2, all the permittees under this Order are required to develop and implement a number of plans, enact ordinances, and develop and implement FOG control programs. They are also required to submit monthly reports of sewage spills. The federal facilities and the City of Stanton have been delinquent in submitting these reports. The City of Stanton had a recent sewage spill. Currently Board staff is evaluating Stanton's compliance status and considering recommending appropriate enforcement action. Board staff already met with City staff to discuss these compliance issues. The City has indicated that it intends to fully comply with the Order.

#### **Compliance with the FOG Control Program:**

The Order included two elements for FOG control: (1) establish legal authority to control FOG; and (2) develop a program for FOG control. On March 22, 2004, the Executive Officer requested each permittee to provide a status report on their efforts to adopt the legal authority to control FOG, including the legal authority to prohibit discharges of FOG and to implement the FOG control program portion of the SSMP. All permittees, except the 4 military bases, responded to this request.

Some of the permittees stated that they would be adopting a modified version of the model FOG ordinance developed by the Orange County Sanitation District (OCSD), or their own ordinance, by the July 30, 2004 deadline. The main modification being made to the model ordinance involves whether the permittee will be issuing permits to all food service establishments (FSE) or relying on the enforcement of their ordinance as the mechanism to regulate the discharge of FOG. All the permittees are requiring new FSEs to install grease interceptors and require regular maintenance of the interceptors. They are negotiating with the Orange County Health Care Agency (OCHCA) to do inspections of the interceptors as part of the OCHCA's restaurant inspection program.

While the staffs of the permittees are recommending that their respective Boards or Councils adopt the required legal authority by the July 30, 2004 deadline, they cannot guarantee that this will occur. Some Boards and Councils are very concerned about the costs of the FOG control program and the impact to their existing restaurants and may need additional time to adopt an acceptable FOG control ordinance. Staff would like to give each permittee every opportunity to develop and implement an effective FOG control program with adequate legal authority to implement and enforce the program. Staff is working closely with these agencies to meet this goal. Staff recommends that the Board not take enforcement action for violations of the July 30, 2004 deadline if the permittees

are making adequate progress to obtain final approval from their Boards and Councils of an effective FOG control ordinance.

A number of permittees have made significant progress towards compliance with the legal authority and FOG program deadlines. They have indicated that they should be able to meet the December 30, 2004 deadline. All the permittees should be able to adopt the legal authority and submit the FOG control program by December 30, 2004. Staff recommends that the Board strictly enforce the December 30, 2004 deadline.

**SSO Order and Beach Closures:**

As indicated in the Background section above, the main goal of this Order is to reduce beach closures in Orange County. Staff believes that this Order has been effective in reducing beach closures caused by sewage spills in the region. The number of beach closures caused by sewage spills in all of Orange County has dropped from 51 in 2001, to 37 in 2002, and to 27 in 2003. Additionally, there has been a major reduction in the volume of sewage discharged from these sewage spills to waters of the state. The total volume of sewage discharged to surface waters in Orange County during 2003 was only 14,331 gallons, down from 320,618 gallons in 2001 and 34,285 gallons in 2002. This demonstrates that the Order has been effective and most of the sewerage agencies have improved operations and maintenance of their systems and are improving their sewage spill response, containment, and cleanup operations.

**Table 1: Sewage Collection Agencies in Orange County Subject to Order No. R8-2002-0014**

City of Anaheim	City of Newport Beach
City of Brea	City of Orange
City of Buena Park	City of Placentia
Costa Mesa Sanitary District	Rossmoor/Los Alamitos Area Sewer District
City of Cypress	City of Santa Ana
City of Fountain Valley	City of Seal Beach
City of Fullerton	City of Stanton
Garden Grove Sanitary District	Sunset Beach Sanitary District
City of Huntington Beach	County of Orange Unincorporated Area 7
City of La Palma	City of Villa Park
Irvine Ranch Water District	City of Yorba Linda
City of La Habra	Yorba Linda Water District
Orange County Sanitation District (OCSD)	Midway City Sanitation District
City of Los Alamitos	El Toro Water District
U.S. Air Force Reserve Center Los Alamitos	Joint Forces Training Base Los Alamitos
Marine Corps Air Station El Toro/Tustin	Naval Weapons Station Seal Beach

**Table 2: Sewer System Management Plan Time Schedule**

Task	Completion Date
Monitoring and Reporting Program No. R8-2002-0014	Effective on Adoption
SSMP Development Plan and Schedule	September 30, 2002
SSO Emergency Response Plan	January 1, 2003
Preventative Maintenance Program	June 15, 2003
Legal Authority	July 30, 2004
Fats, Oils and Grease Disposal Alternatives	December 30, 2004
Fats, Oils and Grease Control Program	December 30, 2004
Capacity Evaluation	July 30, 2005
Sewer Rehabilitation Plan for Entire System	September 30, 2005
Final SSMP	September 30, 2005